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(202) 496-

TELEFACSIMILE MESSAGE

Sender: Kesha D. Harris

Pages (including this page): 12

Recipient	Address	Facsimile Number	Your Reference
<u>Linda McFayell</u>	<u>PTO (OIFP)</u>	<u>703-308-7751</u>	

Confirmation copy will not follow.

MESSAGE:

Enclosed is proof that the response to the notice to file missing parts was filed at the PTO. If you have questions, please call me at (202) 496-4723

Thank you

Kesha Harris

P.S. Also you will find the status request that was filed along with the POA that was filed.

If you have any problems regarding this transmission, please contact at (202) 496-4723

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DC1 - 1061359.1

Express Mail No	EL 477 034 939 US	First Class Mail ()
Date Mailed	March 6, 2002	Filed: January 29, 2001
Serial No.	09/772,330	
Applicant	Carlos D. FEAR	
FOR:	<u>BLACKBERRY PLANT NAMED "SONOMA"</u>	
<u>The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:</u>		
<input checked="" type="checkbox"/> (X) Status Request		
OTHER:		
File No.	8569-013-999	
SENDER: RJR/ALG/PYS/NMoore		

PM

O I P C
MAR 07 2002
PATENT & TRADEMARK OFFICE

Express Mail No.: EL 477 034 939 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carlos D. Fear

Application No.: 09/772,330

Group Art Unit: 1661

Filed: January 29, 2001

Examiner: To Be Assigned

For: BLACKBERRY PLANT NAMED
"SONOMA"

Attorney Docket No.: 8569-013

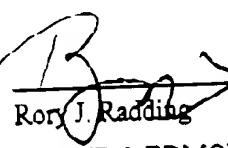
STATUS REQUESTAssistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Pursuant to M.P.E.P. § 203.08, Applicant respectfully requests to be advised of the status of the above-identified application. On May 7, 2001, a response to Notice to File Missing Parts of Nonprovisional Application was filed with the U.S. Patent & Trademark Office, but to date, Applicant has not received a first Office Action.

No fee is believed due for this request. Should any fee be required, however, please charge the necessary fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

Respectfully submitted,

Date March 6, 2002
Rory J. Radding

28,749

(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Express Mail No. EL 501 639 938 US First Class Mail ()

Date Mailed May 23, 2001 *JK* Filed: January 29, 2001

Serial No. 09/772 330

Applicant: Carlos D. FEAR

FOR: BLACKBERRY PLANT NAMED "SONOMA"

The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:

Transmittal of Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71
 Executed Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71

OTHER: _____

File No. 8569-013-999 SENDER: ALG/MEP/PYS/NM/ourc



Express Mail No. EL 501 639 938 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carlos D. Fear

Application No.: 09/772,330

Group Art Unit: 1661

Filed: January 29, 2001

Examiner: To Be Assigned

For: BLACKBERRY PLANT NAMED
"SONOMA"

Attorney Docket No.: 8569-013

TRANSMITTAL OF POWER OF ATTORNEY BY ASSIGNEE
AND EXCLUSION OF INVENTOR(S) UNDER 37 C.F.R. 3.71Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant submits herewith for filing in connection with the above-identified application an executed Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. § 3.71.

Please direct all correspondence and telephone calls to Pennie & Edmonds LLP at the address indicated below.

Date May 23, 2001

Respectfully submitted,

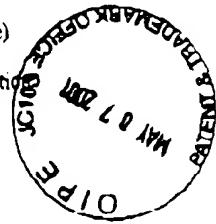
*Ann L. Gisolfi by
Marie E. Pasquale - Reg. No. 38,265
31,956*

Ann L. Gisolfi

(Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Express Mail No. <u>EL 501 638 858 US</u>	First Class Mail (<input type="checkbox"/>)
Date Mailed <u>May 7, 2001</u>	Filed: <u>January 29, 2001</u>
Serial No. <u>09/772,330</u>	
Applicant: <u>Carlos D. FEAR</u>	
FOR: <u>BLACKBERRY PLANT NAMED "SONOMA"</u>	
<u>The stamp of the Patent Office hereon shall be taken as an acknowledgement on the date stamped receipt of the following:</u>	
<input checked="" type="checkbox"/> Response to Missing Parts of NonProvisional Application (in duplicate)	
<input checked="" type="checkbox"/> Executed Declaration	
<input checked="" type="checkbox"/> Return copy of Notice to File Missing Parts of NonProvisional Application	
OTHER: _____	
File No. <u>8569-013-999</u>	SENDER: ALG/MEP/PYS/NMoore



Express Mail No. EL 501 638 858 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carlos D. Fear

Application No.: 09/772,330

Group Art Unit: 1661

Filed: January 29, 2001

Examiner: To Be Assigned

For: BLACKBERRY PLANT NAMED
"SONOMA"

Attorney Docket No.: 8569-013

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATIONAssistant Commissioner for Patents
Washington, D.C. 20231

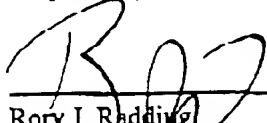
Sir:

In response to the Notice to File Missing Parts of Provisional Application (hereinafter the "Notice") mailed by the U.S. Patent and Trademark Office on March 6, 2001 in connection with the above-captioned application, Applicant submits herewith the following documents:

- (1) executed Declaration; and
- (2) a return copy of the Notice.

In accordance with the Notice, the surcharge for filing the enclosed Declaration is estimated to be \$130.00. Please charge the required fee to Fennie & Edmonds LLP Deposit Account No. 16-1150. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,



28,749
Rory J. Radding (Reg. No.)

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20591
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/772,330	01/29/2001	Carlos D. Fear	8569-013

CONFIRMATION NO. 8668

20583
PENNIE AND EDMONDS
1155 AVENUE OF THE AMERICAS
NEW YORK, NY 100362711

FORMALITIES LETTER



'0C00000005831003'

Date Mailed: 03/06/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

[Signature]
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE